

REMARKS

This communication is in response to the final Office Action issued April 9, 2003. The Examiner rejected claims 2, 14, and 15 under 35 U.S.C. § 102 in view of U.S. Patent No. 3,435,500 to Aser *et al.* (Aser). The Examiner rejected claims 2 and 14-16 under 35 U.S.C. § 103 in view of Aser modified by one of U.S. Patent No. 5,685,944 to Nose *et al.* (Nose) or WO 99/30913 to Reil *et al.* (Reil).

Claim Rejections Under 35 U.S.C. § 102

In sections 1 and 2 of the Office Action, the Examiner rejected claims 2, 14, and 15 under 35 U.S.C. § 102 in view of Aser.

It is well settled that for a rejection of a claim under 35 U.S.C. § 102 to be proper, each and every element as set forth in the claim must be found in a single reference. See, for example, MPEP § 2131. For at least the reasons stated below, the Examiner's rejections of claims 2, 14, and 15 do not satisfy this burden.

Aser appears to disclose a pressure roller suitable for use in a heated contact fusing device (column 2 lines 70-72). The pressure roller includes "a steel core to which silicone rubber is bonded" (column 3 lines 7-8). An outer sleeve of an "abhesive material" is added over the silicone rubber by an adhesive and heat shrinking of the sleeve (column 3 lines 8-13).

The present application, conversely, discloses and claims in amended claims 2 and 14 a method of producing a small diameter roller for use with a transfer head of a film transfer tool in which the small diameter roller has an outside diameter of 1 mm to 3 mm. Support for this recitation is seen, for example, at page 7 line 14 to page 8 line 4 of the written description.

There is no teaching or suggestion of such an outside diameter in Aser. Therefore, claims 2 and 14-16 are allowable over Aser.

In view of the foregoing, the Examiner's rejection under 35 U.S.C. § 102 to claims 2, 14, and 15 is believed to be overcome.

Claim Rejections Under 35 U.S.C. § 103

In sections 3-5 of the Office Action, the Examiner rejected claims 2 and 14-16 under 35 U.S.C. § 103 in view of Aser modified by one of U.S. Patent No. 5,685,944 to Nose et al. (Nose) or WO 99/30913 to Reil et al. (Reil)

It is well settled that for a rejection of a claim under 35 U.S.C. § 103 to be proper, each and every recitation of the claim must be present in the cited reference(s). See, for example, MPEP § 2143.03. For at least the reasons stated below, the Examiner's rejections of the claims do not satisfy this burden.

As discussed above, the present application discloses and claims a method of producing a small diameter roller for use with a transfer head of a film transfer tool in which the small diameter roller has an outside diameter of 1 mm to 3 mm. Also as discussed above, Aser does not teach or suggest such a method. Neither Nose nor Reil satisfy the shortcomings of Aser. Therefore, claims 2 and 14-16 are allowable for at least the same reasons as discussed above.

In view of the foregoing, the Examiner's rejections under 35 U.S.C. § 103 to claims 2 and 14-16 are believed to be overcome.

Election/Restriction

In section 7, the Examiner indicated that claims 1, 11-13, and 17-23 are drawn to a nonelected invention and must be canceled. Claims 1 and 11-13 have been canceled above. Claims 17-23, however, have not been canceled. Each of claims 17-23 ultimately depends from claim 14, which was indicated as being a generic claim in the October 23, 2002 Office Action. Thus, once claim 14 is allowed, examination of claims 17-23 should commence. See MPEP § 809.02(e).

Additional Fees

The Commissioner is hereby authorized to charge any insufficiency or credit any overpayment associated with this application to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 19-5127 (order no. 18920.0019).

Conclusion

Claims 2 and 14 have been amended. Claims 2 and 14-16 are pending in the application, and are believed to be in condition for allowance. In view of the foregoing, all of the Examiner's rejections of the claims are believed to be overcome. The Applicant respectfully requests reconsideration and issuance of a Notice of Allowance for all claims.

Should the Examiner feel further communication would help prosecution, the Examiner is urged to call the undersigned at the telephone number provided below.

Respectfully Submitted,



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